

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MCC NON FERROUS TRADING INC.,
Plaintiff,

- against -

AGCS MARINE INSURANCE COMPANY,
Defendant.

Civil No. 14-CV-8302 (JCF)

**RESPONSE TO LOCAL CIVIL RULE 56.1 STATEMENT
OF UNDISPUTED FACTS IN SUPPORT OF DEFENDANT'S
MOTION FOR PARTIAL SUMMARY JUDGMENT ON THE
INTERPRETATION OF CLAUSES 52 AND 53**

Pursuant to Local Civil Rule 56.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Plaintiff MCC Non Ferrous Trading Inc. ("Metallica") sets forth below its response to AGCS Marine Insurance Company's Local Civil Rule 56.1(a) statement of undisputed facts in support of its motion for partial summary judgment on the interpretation of Clauses 52 and 53:

1. Admitted. However, Metallica respectfully refers the Court to the entire Ocean Marine Cargo Policy No. OC 91257500 (the "Policy") for the terms and conditions thereof.

2. Admitted. However, Metallica respectfully refers the Court to the entire Policy for the terms and conditions thereof.

3. Admitted. However, Metallica respectfully refers the Court to the entire Policy for the terms and conditions thereof.

4. Admitted. However, Metallica respectfully refers the Court to the entire Policy for the terms and conditions thereof.

Dated: April 20, 2015
New York, New York

By: /s/ Dennis J. Nolan

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